

REMARKS

Claims 1-3 and 5-30 were pending. Claims 2 and 3 were withdrawn from consideration as being directed to a non-elected invention. In this amendment, claims 1 and 23 have been cancelled. Claims 31 and 32 have been added. Following this amendment, claims 6-22, 24-32 are pending.

Claim 19 has been objected to, but would be allowable if amended to include all of the limitations of the base claim and any intervening claims. Claim 19 has been amended to include of the limitations of base claim 1 and intervening claims 5 and 15. Claims 17, 18, 20-22 have been amended to depend upon claim 19.

Claim 10 has been amended to include all of the limitations of base claim 1 and intervening claim 5. Claims 6, 7, 8 and 11-16 have been amended to depend upon claim 10.

Claim 27 has been amended to include all of the limitations of its base claim 23. Claims 24-26 and 28-30 have been amended to depend upon claim 27.

Claims 26 and 29 have been amended as suggested by the Examiner to correct informalities.

Support for the amendments can be found throughout the specification, claims and drawings as originally filed. Further support for new claims 31 and 32 can be found in Figures 2-5 and 6. No new matter has been added as a result of any of these amendments.

The Rejections Under 35 U.S.C. § 112, First Paragraph Should be Withdrawn

Claims 23-30 are rejected under 35 U.S.C. § 112, ¶ 1 as allegedly containing new matter. Applicant thanks the Examiner for the proposed amendments to claims 23 to overcome the rejection. Claim 27, which has been amended to incorporate the limitations of claim 23 includes the edits suggested to claim 23. Applicant respectfully requests withdrawal of the rejection under 35 U.S.C. § 112, first paragraph.

The Rejections Under 35 U.S.C. § 112, Second Paragraph Should be Withdrawn

Claims 26 and 29 are rejected under 35 U.S.C. § 112, ¶ 2 for allegedly being indefinite. In particular, the Examiner requests clarification of the how the damping ratio is measured and amendment of the claims to provide antecedent basis. The claims have been amended as suggested by the Examiner. No change in claim scope is intended by these amendments. Applicants respectfully request withdrawal of the rejections under 35 U.S.C. § 112, second paragraph.

The Rejections Under 35 U.S.C. § 103(a) Should be Withdrawn

Claims 1, 5-8, 10-14, 20, and 21 are rejected under 35 U.S.C. § 103(a) as obvious over U.S. Patent No. 4,140,166 to Koyama et al. ("Koyama") in view of U.S. Patent No. 2,541,506 to Cuthbertson et al. ("Cuthbertson"), or alternatively, obvious over Cuthbertson in view of Koyama (Office Action at §§ 13, 15).

Applicant thanks the Examiner for the indication that claim 19 is allowable if rewritten in independent form to include all of the limitations of any intervening claims. Claim 19 has been rewritten in independent form as suggested by the Examiner. Claims 17-18, 20-22

have been amended to depend upon claim 19. In view of the foregoing, Applicant requests withdrawal of the rejections of claim 19 and its dependent claims 17-18 and 20-22.

Applicant notes that claim 27 contains the same dependent limitation as claim 19, which was deemed allowable if rewritten in independent form. Applicant further notes that while the Office Action Summary page indicates that claim 27 is rejected, that in the Detailed Action pages of the office action, no art has been cited against claim 27. As such, Applicant believes that claim 27, like claim 19, would be allowable if rewritten in independent form. Claim 27 has been rewritten in independent form. Claims 24-25 and 28-30 have been amended to depend upon claim 27. In view of the foregoing, Applicant submits that claim 27, and claims 24-26 and 28-30 which depend therefrom, are allowable over the cited art and withdrawal of the rejection of these claims is respectfully requested.

The Office Action contends that claim 10 is obvious because it would have been obvious to one of skill in the art to provide "such conventional circumferentially orientated plies covering the belt ply axial edges in the above tire."

Applicant traverses the obviousness rejection. The cited art does not teach or suggest the association of a second rubber decoupling layer with an additional row of cords that extends axially roughly like second rubber decoupling layer. As this limitation is not taught or suggested in the prior art, claim 10 is not rendered obvious by the cited art. Claim 10 has been rewritten in independent form. Claims 6-8 have been amended to depend upon claim 10. In view of the foregoing, withdrawal of the rejection of claim 10, and claims 6-9, 11-16 which depend upon claim 10, is respectfully requested.

Double Patenting Rejection

Claims 1, 5-8, 10-14 and 20-22 are provisionally rejected under the doctrine of obviousness-type double patenting as being unpatentable over claims 3, 7, 8, 11, and 15 of copending Application No. 09/823,543. The Office Action asserts that "[a]lthough the conflicting claims are not identical, they are not patentably distinct from each other because claims 1 and 5/1 of this application are generic to claim 3 of 09/823,543" (Office Action at § 18). Further, claim 9 is provisionally rejected under the doctrine of obviousness-type double patenting as being unpatentable over claims 3 and 11 of copending Application No. 09/823,543 in view of Mechanics of Pneumatic Tires (Office Action at § 19). Applicants will submit a terminal disclaimer, if appropriate, upon finding of allowable subject matter.

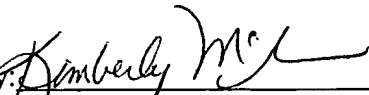
CONCLUSION

In view of the foregoing amendments and remarks, Applicant respectfully requests withdrawal of the outstanding objections and rejections, and allowance of the pending claims. A check in payment of the requisite extension of time fee is enclosed. Applicant does not believe that any additional fee is required in connection with the submission of this document. However, should any additional fee be required, or if any overpayment has been made, the Commissioner is hereby authorized to charge any fees, or credit or any overpayments made, to Deposit Account 02-4377. Duplicate copies of this sheet are enclosed.

Respectfully submitted,

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